

\*\*\* NOT FOR PUBLICATION \*\*\*

NO. 26321

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

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JENNIFER T. DROBENA, Claimant-Appellant-Appellant

vs.

WAL-MART ASSOCIATES, INC. and JOHN MULLEN AND COMPANY,  
Employer/Insurance Adjuster-Appellee

and

SPECIAL COMPENSATION FUND, Appellee-Appellee

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APPEAL FROM THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD  
(CASE NO. AB 2003-390(K))

ORDER DISMISSING APPEAL

(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Upon review of the statements supporting and contesting jurisdiction and the record, it appears that the December 30, 2003 order denying claimant's motion to stay the labor director's July 11, 2003 and August 14, 2003 decisions does not finally end the proceeding before the Labor and Industrial Relations Appeals Board (LIRAB) in Case No. AB 2003-390(K). Deferring review of the December 30, 2003 order pending entry of a final decision and order by the LIRAB would not deprive claimant of adequate relief inasmuch as the July 11, 2003 and August 14, 2003 decisions are pending appeal before the LIRAB and an LIRAB decision in favor of claimant will provide her with adequate relief. Thus, we lack jurisdiction over this appeal. See HRS §§ 91-14(a) and 386-88. Therefore,

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IT IS HEREBY ORDERED that this appeal is dismissed for lack of appellate jurisdiction.

DATED: Honolulu, Hawai'i, April 29, 2004.